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About the TBD

Background

In 1987, the Legislature created Transportation Benefit Districts ("TBD") as an option for local governments to fund transportation improvements. Since 2005, the Legislature has amended the TBD statute to expand its uses and revenue authority. Most recently, the Legislature amended the TBD statute to authorize the imposition of vehicle fees and transportation impact fees without a public vote. The purpose of these materials is to help you better understand TBD's.

What is a TBD?

A Transportation Benefit District (TBD) is a quasi-municipal corporation and independent taxing district created for the sole purpose of acquiring, constructing, improving, providing, and funding transportation improvements within the district.

Who may create a TBD?

The legislative authority of a county or city may create a TBD by ordinance following the procedures set forth in [RCW Chapter 36.73](#) ^[6]. The county or city proposing to create the TBD may include other counties, cities, port districts, or transit districts through interlocal agreements.

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What are the boundaries of the Kelso TBD?

A county or city may choose to have the TBD boundaries identical with the county or city, or just include a portion of the city or county. However, if a TBD chooses to exercise the tax authority that does not require a public vote, the boundaries of the TBD must be countywide, citywide, or unincorporated countywide. The physical boundaries of the Kelso TBD are identical with the Kelso City limits.

Who governs the Kelso TBD?

The members of the legislative authority (county or city) proposing to establish the TBD is the governing body of the TBD. The Kelso TBD Board consists of all members of the Kelso City Council. The legislative authority is acting ex-officio and independently as the governing body. If a TBD includes other jurisdictions through interlocal agreements, then the governing body must have at least five members, including at least one elected official from each of the participating jurisdictions. To contact the Kelso TBD, call 360.577.3370 or email: dsypher@kelso.gov ^[7]; // --> or send mail to: Kelso Transportation Benefit District - PO Box 819 - Kelso, WA 98626.

When does the TBD Board meet?

The TBD Board will meet on the first Tuesday of March and September and hold special meetings as necessary, as set forth in [Kelso TBD Resolution 12-001](#) ^[8]. Meetings will be held in the City of Kelso Council Chambers, 203 South Pacific, Kelso at 6:00 p.m.

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Why create a TBD if the City legislative authority is the governing board?

A TBD is a legal authority. Although a TBD has many of the powers of a county or city (imposes taxes, eminent domain powers, can contract, etc.), it is a separate taxing district. Additionally, by being a separate legal and taxing authority, TBDs are flexible. For example, more than one type of jurisdiction can be part of a TBD and the boundaries can be less than countywide or citywide.

Can a TBD be created without imposing fees or proposing voter approved revenue options?

No. The creation of a TBD must be through an ordinance. The ordinance must include a finding that the creation of a TBD is in the public's interest, the boundaries of the TBD, a description of the transportation improvements proposed by the district, and the proposed taxes and fee charges the TBD will impose to raise revenue to fund the identified improvements.

Fees & Revenues

Are TBD revenues required to be spent as they are collected?

No, unlike impact fees, TBD revenues do not have to be spent in a specified time frame. The governing body must develop a plan that specifies the transportation improvements to be provided or funded by the TBD. As part of this plan, the TBD's governing board can indicate if the funds will be used immediately, or if they will be collected for a specified period. Typically funds that are collected for a specified period before being expended are used to fully fund large projects, when bonding, or serve as a match for state or federal funds that may only become available in a specified time frame.

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What transportation improvements can be funded by a TBD?

A TBD can fund any transportation improvement contained in any existing state, regional, or local transportation plan that is necessitated by existing or reasonably foreseeable congestion levels. This can include maintenance and improvements to city streets, county roads, state highways, investments in high capacity transportation, public transportation, transportation demand management and other transportation projects identified in a regional transportation

planning organization plan or state plan.

Can I ?opt out? of the \$20 Transportation Benefit District fee?

No. Unlike the Washington State Parks donation, the Transportation Benefit District Fee is mandatory for all vehicles subject to the fee under [RCW 82.80.140](#) ^[9] , and renewing their tabs in the Kelso City Limits.

Can the \$20 fee be waived for special circumstances?

Yes. The fee can only be waived for a qualifying veteran exemption as indicated on the [Department of Licensing](#) ^[10] vehicle record.

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Why am I being charged the \$20 Transportation Benefit District fee if I have moved outside of the Kelso City limits?

If you have moved outside of the Kelso City limits and are being charged the \$20 Transportation Benefit District Fee, chances are that your vehicle is still registered with a Kelso address. If you complete a change of address form, available [online](#) ^[11] at the Department of Licensing (DOL) or [in person](#) ^[12] with a DOL agent , you will be given a new location code. Your fee for tab renewal will then be assessed based on your new location code.

What happens if a city imposes the \$20 vehicle fee and then the county imposes a countywide fee without voter approval?

The law requires TBDs to provide a credit for vehicle fees previously imposed by a TBD. For example, if Kelso was first to create a TBD to impose a \$20 vehicle fee and subsequently the county creates a countywide TBD imposing a \$20 vehicle fee, the county TBD must provide a \$20 credit against its fee for vehicles registered in Kelso. As a result, no fee would be collected by the county TBD from vehicles registered in Kelso.

Other

What other requirements should I be aware of?

Revenue rates, once imposed, may not be increased, unless authorized by voter approval. If project costs exceed original costs by more than 20 percent, a public hearing must be held to solicit public comment regarding how the cost change should be resolved. The TBD must issue an annual report to include the status of project costs, revenues, expenditures, and construction schedules. The TBD must be dissolved upon completion of the project(s) and the payment of any debt service.

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Who can I contact about other fees on my Vehicle License Tab Renewal Notice?

For fees related to the Department of Licensing (DOL) (examples: weight based fee, license plate replacement fee, reflective coating fee, etc.), please contact DOL's Vehicle Customer Service Center at 360.902.3900.

For the \$5 voluntary donation related to Washington State Parks, please contact the Washington State Park Headquarters at 360.902.8844.

How can I pay my vehicle license tab renewal fees, which include the TBD fee?

You can renew your tabs online.^[13] You will need your license plate number, each registered owner's driver license number, and a major credit card.

You can also renew your tabs in person^[12] at any vehicle licensing office .

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Source URL: <http://www.kelso.gov/departments-services/transportation-benefit-district/frequently-asked-questions>

Links

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